

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

Case No. 18-23650-rdd

HUGH O'REILLY,

Debtor.
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ORDER AVOIDING JUDICIAL LIENS PURSUANT TO 11 U.S.C. § 522(f)

Upon the motion, dated February 19, 2019 [Dkt. No. 15 (the "Motion")], of the debtor herein, Hugh O'Reilly (the "Debtor"), for an order avoiding the judicial liens identified therein and herein on the Debtor's real property located at 350 Blauvelt Road, Blauvelt, New York 10913 (the "Property"), as impairing the Debtor's homestead exemption, under 11 U.S.C. § 522(f)(1)(b); and it appearing that due and sufficient notice of the Motion and the hearing thereon was provided, including to each of the judicial lienors; and upon the objection [Dkt. No. 21] (the "Objection") of Susan C. Altman; and there being no other opposition to the requested relief; and upon the Debtor's response to the Objection; and upon the record of the evidentiary hearing held by the Court on December 20, 2019; and, after due deliberation and for the reasons stated by the Court in its bench ruling at the hearing, the Court having determined that the foregoing judicial liens fully impair the Debtor's homestead exemption, that the Objection should be denied and the Motion granted; now, therefore, good and sufficient cause appearing, it is hereby ORDERED that:

1. The Motion is granted.
2. The Clerk of the County of Rockland, New York, shall mark on its records that the following judicial liens on the Property and its proceeds are

avoided by this Bankruptcy Court Order pursuant to section 522(f) of the Bankruptcy Code:

(a) Judicial Lien of Town and Country, filed August 10, 2010, under Instrument No. 2010-00028437, in the sum of \$3,658.12, against Hugh O'Reilly;

(b) Judicial Lien of Beckerle Lumber Supply, Inc., filed February 2, 2011, under Instrument No. 2011-00003822, in the sum of \$19,976.20, against Hugh O'Reilly aka Hugh M. O'Reilly;

(c) Judicial Lien of Midland Funding of Delaware LLC dba in New York as Midland Funding of Delaware LLC a/p/o GE Money Bank, filed March 30, 2011, under Instrument No. 2011-00012831, in the sum of \$6,023.35, against Hugh O'Reilly;

(d) Judicial Lien of Midland Funding, LLC dba in New York as Midland Funding of Delaware LLC a/p/o Washington Mutual Bank, filed March 23, 2011, under Instrument No. 2011-00012169, in the sum of \$6,209.71, against Hugh O'Reilly;

(e) Judicial Lien of Unifund CCR Partners, filed May 7, 2012, under Instrument No. 2012-00017610, in the sum of \$7,602.62, against Hugh O'Reilly;

(f) Judicial Lien of Cavalry SPV I LLC, filed May 28, 2015, under Instrument No. 2015-00015022, in the sum of \$2,784.03, against Hugh O'Reilly; and

(g) Judicial Lien of Susan C. Altman, filed August 23, 2018, under Instrument No. 2018-00024927, in the sum of \$34,660.81, against Hugh O'Reilly;

provided, that the Debtor may file a copy of this Order with such Clerk as alternative notice thereof.

Dated: White Plains, New York
December 30, 2019

/s/ Robert D. Drain
HON. ROBERT D. DRAIN
U.S. BANKRUPTCY JUDGE, S.D.N.Y.